



Fact Sheet: National Defense Authorization Act for FY16

On May 14, 2015, the Senate Armed Services Committee reported out the National Defense Authorization Act of Fiscal Year 2016 by a vote of 22-4.

BACKGROUND

The NDAA would authorize \$604 billion for national defense programs. This total includes \$496.48 billion for the DoD base budget, \$88.9 billion for Overseas Contingency Operations (OCO) and \$18.7 billion in for national security programs of the Department of Energy. The total of \$604.2 billion is equal to the President's request. [Senate Armed Services Committee, [5/14/15](#)]

The NDAA would not remove the sequestration caps that would limit non-defense discretionary spending to \$523 billion in FY16. The NDAA adds \$38 billion above the President's request for the Overseas Contingency Operations account as a means to fund defense priorities that should otherwise be included in the base budget. While increasing the OCO account, the NDAA would fund the DoD base budget at \$496.5 billion, which is \$37.7 billion *less* than the President's request. [Senate Armed Services Committee, [5/14/15](#)]

	FY16 POTUS Request	NDAA change	NDAA Authorized
DoD Base Budget	\$534.22	-\$37.74	\$496.49
DOE National Security Programs	\$19.02	-\$0.26	\$18.73
Overseas Contingency Operations	\$50.95	+\$37.95	\$88.90
Total National Defense (o5o)	\$604.18	-\$0.57	\$604.12
Funding in billions*			

Troop levels

The NDAA authorizes end strength levels for active forces consistent with the President's request. The NDAA authorizes the end strength for active duty personnel of the Armed Forces at the end of Fy16 at 475,000 for the Army, 329,200 for the Navy, 184,000 for the Marine Corps and 317,000 for the Air Force. These end strength levels are the same as requested by the President. [Senate Armed Services Committee, [5/14/15](#)]

Compensation, benefits and healthcare for soldiers and their families

The NDAA authorizes \$135.4 billion for military personnel, including costs of pay, allowances, bonuses, death benefits and permanent change of station moves. The NDAA also authorizes \$32.2 billion for the defense health program.

The NDAA would raise military pay: The NDAA would authorize a 1.3 percent across the board pay raise for members of the uniformed services in the grades of O-6 and below. [Senate Armed Services Committee, [5/14/15](#)]

The NDAA reauthorizes bonuses and special incentive pay authorities used to encourage recruitment and reenlistment. The NDAA reauthorizes over 30 types of bonuses and special pays aimed at encouraging enlistment, reenlistment, and continued service by active duty and reserve component military personnel. [Senate Armed Services Committee, [5/14/15](#)]

The NDAA reforms the military retirement system: The NDAA would create a new retirement benefit system for service members that join a uniformed service on or after January 1, 2018. Current service members would be grandfathered into the current system but may choose to be covered by the new plan. The new retirement system would blend the current all-or-nothing annuity benefit with a matching Thrift Savings Plan (TSP), making it more reflective of a civilian 401(k) plan and offering financial benefits to individuals who do not serve at least 20 years in uniform. Under the current system, soldiers must serve at least 20 years to receive a pension. [Senate Armed Services Committee, [5/14/15](#)]

Major Weapons Systems

Aircraft Carriers: Authorizes \$127.2 million in RDT&E for the USS Gerald R. Ford aircraft carrier (CVN-78). The bill includes \$79.1 million in funding above the budget request to fund full ship shock trials on CVN-78. Authorizes \$678.3 million for the Refueling and Complex Overhaul (RCOH) of the USS George Washington (CVN-73). Limits \$191.4 million in advance procurement funds for CVN-80 until the Secretary of the Navy certifies the CVN-80 design will repeat the CVN-79 design and provides a detailed justification of the CVN-80 plans costs. Directs a Comptroller General review of *Ford*-class cost estimates and cost estimating practices, effectiveness of current cost accounting and cost surveillance, and cost reporting. [Senate Armed Services Committee, [5/14/15](#)]

Navy and Marine Corps Tactical Aviation: Authorizes \$1.2 billion in procurement for 12 F/A-18E/F aircraft and initial spares included in the Chief of Naval Operations' unfunded priorities list to reduce the near-term strike fighter shortfall. Authorizes \$1.1 billion in procurement for upgrades to F/A-18 and E/A-18G aircraft, including a \$170.0 million increase included on the Chief of Naval Operations' unfunded priority list. Authorizes \$873.0 million in procurement for four F-35C aircraft. Authorizes \$2.5 billion in procurement for 15 F-35B aircraft, including six aircraft included on the Commandant of the Marine Corps' unfunded priority list. [Senate Armed Services Committee, [5/14/15](#)]

Submarines: Authorizes \$6.1 billion in advance procurement and procurement for Virginia-class submarines. The bill includes \$800.0 million in funding above the budget request, emphasizing the importance of procuring two Virginia-class submarines per year in fiscal years 2016 to 2020 and the inclusion of the Virginia Payload Module on Virginia-class submarines as soon as practicable. Funds the requested \$1.39 billion in *Ohio*-class Replacement Program RDT&E. Directs the Secretary of Defense to submit detailed *Ohio*-class Replacement Program cost estimates with the annual budget submission. [Senate Armed Services Committee, [5/14/15](#)]

Littoral Combat Ship: Limits funds for Littoral Combat Ships designated LCS-25 and LCS-26 until pre-existing requirements are met and the Navy provides an acquisition strategy for LCS-25 through LCS-32, a LCS mission module acquisition strategy, a plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship, and a current test and evaluation master plan for the Littoral Combat Ship mission modules. Limits 75 percent of fiscal year 2016 funds for research and development, design, construction, procurement, or advanced procurement of materials for the upgraded Littoral Combat Ships designated LCS-33 and subsequent until the Secretary of the Navy submits specified information on the upgraded LCS modernization. [Senate Armed Services Committee, [5/14/15](#)]

Arleigh-Burke Class Destroyers: Authorizes \$3.5 billion in procurement for Arleigh Burke-class destroyers (DDG-51), including the first Flight III DDG-51. The bill includes \$400.0 million in incremental funding authority for an additional Arleigh Burke-class destroyer in addition to the 10 DDG-51s in the fiscal year 2013-2017 multiyear procurement contract, or for a DDG-51 in fiscal year 2018. Authorizes \$424.2 million in procurement for destroyer modernization, including an additional ballistic missile defense upgrade that was requested in the Chief of Naval Operations' unfunded priority list. [Senate Armed Services Committee, [5/14/15](#)]

Air Force F-35's: Authorizes \$5.2 billion in procurement for 44 F-35A aircraft. The bill limits funds for F-35A procurement to \$4.3 billion until the Secretary of Defense certifies that F-35A aircraft delivered in fiscal year 2018 will have full combat capability with currently planned Block 3F hardware, software, and weapons carriage. Requires a report from the Secretary of Defense to either revalidate the current requirement for the F-35 Joint Strike Fighter program of record quantity, or identify a new requirement for the total number of F-35 aircraft the Department of Defense would ultimately procure. [Senate Armed Services Committee, [5/14/15](#)]

A-10: Prohibits the use of any funds during fiscal year 2016 to retire, prepare to retire, or place in storage any A-10 aircraft. As a result, the bill restores a total of \$355 million in funding. The bill further requires the Secretary of the Air Force to maintain a minimum of 171 A-10 aircraft in primary mission aircraft inventory (combat-coded) status. [Senate Armed Services Committee, [5/14/15](#)]

KC-46 Tanker: Authorizes \$2.3 billion in procurement for the KC-46A tanker. Authorizes \$402.4 million in RDT&E for the KC-46A tanker. The bill fully funds what the Air Force can execute. [Senate Armed Services Committee, [5/14/15](#)]

Long Range Strike Bomber: Authorizes \$786.2 million in RDT&E for the Long Range Strike Bomber. The bill fully funds what the Air Force can execute and a reduction of \$460 million from the President's request. [Senate Armed Services Committee, [5/14/15](#)]

MQ-9 Reaper Drone: Authorizes \$1.0 billion in procurement for 53 MQ-9 aircraft. The bill includes an additional \$480.0 million above the budget request to accelerate procurement to meet increased combatant commander requirements for medium altitude intelligence, surveillance, and reconnaissance. [Senate Armed Services Committee, [5/14/15](#)]

Missiles: Authorizes \$214.8 million in procurement for Tomahawk missiles. The authorized funding keeps Tomahawk production at the minimum sustaining rate of 196 missiles per year. Authorizes \$207.9 million in procurement for Navy Advanced Medium Range Air-to-Air Missiles (AMRAAMs). Authorizes \$152.5 million in procurement for U.S. Marine Corps Tube-Launched, Optically-Tracked, Wire-Guided (TOW) missiles. The bill includes \$140.0 million in

funding above the budget request to replenish a depleted inventory, which was requested in the Commandant of the Marine Corps' unfunded priority list. [Senate Armed Services Committee, [5/14/15](#)]

Military aid to Israel

The NDAA authorizes missile defense assistance programs for Israel: The NDAA authorizes \$165.0 million for co-production with the Government of Israel of the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor program and \$268.8 million in RDT&E for U.S.-Israeli cooperative missile defense programs, including an increase of \$166.0 million for continued development of the Arrow-3 upper tier interceptor missile and the David's Sling short range ballistic missile defense system. The NDAA also authorizes \$41.4 million for the Government of Israel to procure the Iron Dome short range rocket defense system, subject to the terms and conditions of the agreement between the U.S. and Israel on Iron Dome system procurement signed on March 5, 2014. [Senate Armed Services Committee, [5/14/15](#)]

Russia and Ukraine

The NDAA includes various provisions related to the ongoing situation in Ukraine aimed at supporting Ukraine and holding Russia accountable for transgressions in Eastern Europe.

- **The NDAA funds the Ukraine Security Assistance Initiative:** The NDAA authorizes \$300 million for the Ukraine Security Assistance Initiative, which provides funding for military assistance to Ukraine to assist Ukrainian security forces in defending against further aggression, which *may* include counter-battery radars and lethal assistance such as anti-tank weapons. The bill authorizes the President to provide lethal assistance to Ukraine. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA requires an assessment of options for expanding the presence of U.S. ground forces of the size of a brigade combat team in Eastern Europe to respond to the security challenges posed by Russia. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA directs a report on recommendations for improving NATO's response options, decision-making processes, and implementation timelines for addressing the use of unconventional or hybrid warfare tactics such as those used by Russia. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA requires an independent assessment on the feasibility and advisability of using alternative industrial base capabilities to procure and sustain nonstandard rotary wing aircraft historically acquired through the Russian state corporation Rosoboronexport. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA requires a plan from the Secretary of Defense concerning possible responses to the Russian violation of the 1987 Intermediate Range Nuclear Forces Treaty, including counterforce capabilities, countervailing strike capabilities, and active defenses. [Senate Armed Services Committee, [5/14/15](#)]

Counterterrorism

- **Afghanistan and Pakistan:** The NDAA authorizes \$3.8 billion for the Afghanistan Security Forces Fund to preserve the gains of the past decade and continue to degrade

and defeat terrorist organizations with operational reach and intent to harm U.S. national security interests. Authorizes \$1.2 billion for Coalition Support Funds (CSF). The bill limits the amount of CSF funds that could be provided to Pakistan to \$900.0 million, and authorizes the use of up to \$100.0 million of those funds for regional stability activities between Pakistan and Afghanistan. [Senate Armed Services Committee, [5/14/15](#)]

- **Counterterrorism Partnerships:** The NDAA authorizes \$1.0 billion for the Counterterrorism Partnerships Fund. Extends for one year the Global Train and Equip (“section 2282”) funding and limitations for the Department of Defense to build the capacity of foreign security forces. [Senate Armed Services Committee, [5/14/15](#)]
- **Syria Train and Equip:** Authorizes \$600.0 million for the Syria Train & Equip Fund. [Senate Armed Services Committee, [5/14/15](#)]
- **Iraq Train and Equip:** Prohibits Iraq Train and Equip Fund assistance from the fiscal year 2015 NDAA to the Government of Iraq until the Secretary of Defense certifies that appropriate steps have been taken by the Government of Iraq to safeguard against transferring to or acquisition by violent extremist organizations of such equipment or supplies. The bill requires a report if the Secretary determines such a transfer or acquisition has occurred, which would describe the policies and procedures in place to preclude further transfers and improve accountability. [Senate Armed Services Committee, [5/14/15](#)]
- **AFRICOM:** Authorizes the Secretary of Defense for three years to provide logistic support, supplies, and services to the national military forces of an allied country conducting counterterrorism operations in Africa. [Senate Armed Services Committee, [5/14/15](#)]
- **Security Cooperation with Iraq:** Authorizes \$80.0 million for the Office of Security Cooperation in Iraq (OSC-I). [Senate Armed Services Committee, [5/14/15](#)]
- **Lebanon and Jordan:** Authorizes \$125.0 million per year to reimburse Lebanon and Jordan for operations that help secure their borders against the Islamic State of Iraq and the Levant. [Senate Armed Services Committee, [5/14/15](#)]

Cyber security

- The NDAA provides enhanced hiring and retention authorities to the Secretary of Defense for civilian cyber personnel at U.S. Cyber Command and the cyber components of the military services. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA requires the Secretary of Defense to designate executive agents to acquire foundational capabilities and infrastructure to support the cyber mission forces of U.S. Cyber Command. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA authorizes the Secretary of Defense to develop, prepare, coordinate and, when authorized by the President, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power. [Senate Armed Services Committee, [5/14/15](#)]

- The NDAA includes a provision requiring the Secretary of Defense to conduct biennial exercises on responding to cyberattacks against critical infrastructure. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA limits \$10.0 million in funds available to the Department of Defense to provide support services to the Executive Office of the President until the President submits the integrated policy to deter adversaries in cyberspace required by the National Defense Authorization Act for Fiscal Year 2014. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA authorizes \$200.0 million for a directed evaluation by the Secretary of Defense of the cyber vulnerabilities of every major Department of Defense weapons system by not later than December 31, 2019. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA requires an independent panel and DOD war games to assess the ability of the National Mission Forces of the United States Cyber Command to reliably prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to those expected of China, Iran, North Korea, and Russia in years 2020 and 2025. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA establishes a \$75.0 million cyber operations procurement fund for the Commander of United States Cyber Command to exercise limited acquisition authorities. [Senate Armed Services Committee, [5/14/15](#)]

Military Construction

- The NDAA does not authorize a future Base Realignment and Closure (BRAC) round. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA authorizes \$8.4 billion for military construction, housing programs, and energy conservation. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA adds \$400.3 million to address the top unfunded military construction requirements of the active, guard, and reserve components. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA saves \$222.0 million due to prior year unobligated funds. [Senate Armed Services Committee, [5/14/15](#)]
- The NDAA cuts \$179.2 million by eliminating and/or deferring lower priority projects and cutting waste. [Senate Armed Services Committee, [5/14/15](#)]

Sexual Assault Prevention and Response

- Enhances confidential reporting options for victims of sexual assault by exempting sexual assault response personnel from mandatory reporting requirements under state law. [Senate Armed Services Committee, [5/14/15](#)]
- Expands authority of Special Victims' Counsel to provide services to victims of sexual assault. [Senate Armed Services Committee, [5/14/15](#)]
- Directs the modification of Rules for Courts-Martial to protect Special Victims' Counsel from adverse evaluations or fitness reports based solely on their zealous advocacy for sexual assault victims. [Senate Armed Services Committee, [5/14/15](#)]

- Recommends commanders should not prosecute for certain acts of collateral misconduct that are only discovered as the result of a victim making a report of sexual misconduct. [Senate Armed Services Committee, [5/14/15](#)]
- Authorizes a pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma. [Senate Armed Services Committee, [5/14/15](#)]

Nuclear, Chemical, and Biological Threats

Nuclear: Authorizes \$1.94 billion for National Nuclear Security Administration (NNSA) nuclear nonproliferation programs. This is aimed at additional mobile and border radiation detector systems in the Middle East and former Soviet states; provide additional resources to collect overseas highly enriched uranium to return to the U.S.; and collect additional radiation sources in the U.S. and around the world, which can pose a “dirty bomb” threat. [Senate Armed Services Committee, [5/14/15](#)]

Cooperative Threat Reduction: The NDAA would authorize \$358.5 million for the Cooperative Threat Reduction Program (CTR), as requested in the President’s budget. CTR programs work to account for, secure, and eliminate weapons of mass destruction and their materials. [Senate Armed Services Committee, [5/14/15](#)]

Guantanamo Bay

The NDAA includes provisions regarding the detention facility at Guantanamo Bay, Cuba, including:

- Extends for another year the ban on the Department of Defense transferring any Guantanamo detainee into the United States. [Senate Armed Services Committee, [5/14/15](#)]
- Extends for another year the ban on constructing facilities for Guantanamo detainees in the United States. [Senate Armed Services Committee, [5/14/15](#)]
- Requires a plan from the Secretary of Defense that details a case-by-case determination on the disposition of each detainee at Guantanamo Bay, which would include a discussion of the legal challenges of bringing detainees to the United States and any additional authorities that might be needed. The bill also includes language limiting the rights and claims that could be asserted by detainees if transferred to the United States under such a plan. The plan would have to address how the Department will ensure continued detention and intelligence collection from future combatants captured under the laws of war. Once submitted, Congress would have to vote to *approve* the plan before it could be implemented. If approved, the prohibitions on domestic transfers would be lifted, and the heightened certification standard for foreign transfers would return to the notification standard in current law. If Congress does not approve the plan, nothing would change: the ban on domestic transfers would remain and the certification standards for foreign transfers included in the bill would remain. [Senate Armed Services Committee, [5/14/15](#)]

- Repeals the current statutory authority to transfer Guantanamo detainees to the custody or control of a foreign country and replaces it with a provision that would prohibit the use of DOD funds to make such transfers through calendar year 2016, unless the Secretary of Defense certifies to Congress that numerous conditions have been satisfied, including measures to prevent re-engagement in terrorist activity and information sharing agreements with host countries. [Senate Armed Services Committee, [5/14/15](#)]
- Prohibits transfers to any country in which a previously transferred Guantanamo detainee was confirmed to have re-engaged. [Senate Armed Services Committee, [5/14/15](#)]